

AMENDING THE ACT OF AUGUST 31, 1954 (68 STAT. 1037), RELATING
TO THE ACQUISITION OF NON-FEDERAL LAND WITHIN THE
EXISTING BOUNDARIES OF ANY NATIONAL PARK

JUNE 13, 1956.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. ENGLE, from the Committee on Interior and Insular Affairs,
submitted the following

R E P O R T

[To accompany H. R. 9591]

The Committee on Interior and Insular Affairs, to whom was
referred the bill (H. R. 9591) to amend the act of August 31, 1954
(68 Stat. 1037), relating to the acquisition of non-Federal land within
the existing boundaries of any national park, and for other purposes,
having considered the same, report favorably thereon with amend-
ments and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, following line 4, add a new section:

SEC. 3. The total amount which may be expended for the
land acquisition program at Cape Hatteras National Sea-
Shore Recreational Area, pursuant to the authorizations
contained in this Act, is hereby expressly limited to \$250,000.

PURPOSE OF H. R. 9591

If enacted, H. R. 9591, introduced by Representative Bonner of
North Carolina, would authorize the Secretary of the Interior to use
not more than \$250,000 of certain appropriated funds to match with
donated funds in order to complete the acquisition of non-Federal
lands within the Cape Hatteras national seashore recreational area in
North Carolina.

EXPLANATION OF THE BILL

The Cape Hatteras national seashore recreational area consists
of long, narrow sand spits known as the Outer Banks and contains

28,500 acres of land and water area of which 3,500 acres remain to be acquired.

The act of August 17, 1937 (50 Stat. 669), which authorized establishment of the Cape Hatteras national seashore recreational area, provided that the land for the area shall be acquired only by public or private donation. This procedure has been followed in acquiring land for the area; the State of North Carolina donated \$618,000 and approximately 10,000 acres of land and 2 Mellon foundations, the Avalon and the Old Dominion foundations, also donated \$618,000 for the land-acquisition program.

Donated land-acquisition funds totaling \$1,236,000 are said to have been exhausted due to the unexpected high cost of a key parcel of land forming the northern shore of Oregon Inlet. This tract of land, comprising approximately 400 acres, is barren and undeveloped; it is bordered on the east by the Atlantic Ocean, on the South by Oregon Inlet, and on the west by Pamlico Sound; it contains a landing for the ferry which crosses Oregon Inlet and the boat marina of a Park Service concessionaire. According to the witness heard from the Park Service, this tract of land was acquired by an individual for about \$30,000 on the settlement of an estate only 6 or 7 years ago. About 3 years ago the Department of the Interior filed a declaration of taking on this tract of land and deposited \$185,000 with the court as the Department's appraisal of the value of the land after consultation with the United States Geological Survey and with private industry. The owner asked for approximately \$1,250,000; three commissioners appointed by the Federal court subsequently placed a value of \$484,000 on the land and awarded \$4,000 for another small tract; these awards, plus accumulative interest in the amount of \$45,400, brings the total apparent cost to date to \$533,400. The Attorney General of the United States has appealed the case to the judge of the court. Should the award be reduced as a result of the appeal, the use of appropriated funds which would be authorized by H. R. 9591 will be reduced by a like amount.

In view of the considerable donations already made by the State of North Carolina and by private foundations, the Department of the Interior is understandably reluctant to solicit for the donation of the additional funds needed to obtain some 3,100 acres of land and water areas required to complete and to provide for the continuity of the Cape Hatteras national seashore recreational area. The committee believes that the circumstances warrant the expenditure of Federal funds for the purpose.

The act of August 31, 1954 (68 Stat. 1037), authorizes annual appropriations not to exceed \$500,000, to be equally matched by donated funds, for the acquisition of non-Federal lands in the national parks. If enacted, H. R. 9591 would amend the 1954 act so as to permit the use of not more than \$250,000 of the appropriated funds for land acquisitions in the Cape Hatteras national seashore recreational area.

DEPARTMENTAL REPORT

The favorable reports of the Department of the Interior and the Bureau of the Budget are set forth following.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington 25, D. C., May 4, 1956.

HON. CLAIR ENGLE,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington 25, D. C.*

MY DEAR MR. ENGLE: Your committee has requested a report on H. R. 9591, to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes. The cited 1954 act authorizes the acquisition of non-Federal land within national parks, using, for that purpose, certain funds that are provided equally by donation and by appropriation. This bill would permit the use of funds so provided, and any other funds appropriated for land acquisition in areas of the national park system, for purposes of the Cape Hatteras national seashore recreational area, in the State of North Carolina.

We recommend that H. R. 9591 be enacted.

The act of August 17, 1937 (50 Stat. 669; 16 U. S. C. 1952 ed. sec. 459), which authorized establishment of the Cape Hatteras national seashore recreational area, provided that the land for the area shall be acquired only by public or private donation. This procedure has been followed in acquiring land for the area; substantial funds have been provided by the State of North Carolina and by 2 private donors, with the result that of the total acreage of 28,500 acres in the recreational area, there remains to be acquired approximately 3,500 acres.

We estimated some time ago that the donations in hand as well as other commitments for donations would be adequate to acquire the remaining acreage. However, we now find that such donated funds probably will fall short of the needed amount. For this reason we consider the enactment of H. R. 9591 to be desirable.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

WESLEY A. D'EWARD,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington 25, D. C., April 30, 1956.

HON. CLAIR ENGLE,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington 25, D. C.*

MY DEAR MR. CHAIRMAN: This will refer to your request for our views concerning H. R. 9591, to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes.

The act to be amended authorizes the acquisition of non-Federal land only within national-park boundaries. Its provisions do not apply to other areas included in the national park system.

It is our understanding that additional non-Federal land is needed to round out the area comprising the Cape Hatteras national sea-

shore recreational area, and that donations presently in hand will fall short of the amount necessary to complete desired acquisitions.

Enactment of H. R. 9591, which we recommend, would extend the act of August 31, 1954, to the Cape Hatteras area.

Sincerely yours,

ROBERT E. MERRIAM,
Assistant to the Director.

The Committee on Interior and Insular Affairs recommends that H. R. 9591, as amended, be enacted.

CHANGES IN EXISTING LAW

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

(COMMITTEE NOTE: Although the title of H. R. 9591 refers to amending the act of August 31, 1954 (68 Stat. 1037), the wording of the bill makes no specific change in the present law. For information, the act of August 31, 1954, is set forth below in its entirety:)

AN ACT To facilitate the acquisition of non-Federal land within the existing boundaries of any National Park, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to consolidate Federal land ownership within the existing boundaries of any National Park and to encourage the donation of funds for that purpose, the Secretary of the Interior is authorized to accept and to use in his discretion funds which may be donated subject to the condition that such donated funds are to be expended for purposes of this Act by the Secretary only if Federal funds in an amount equal to the amount of such donated funds are appropriated for the purposes of this Act. There are authorized to be appropriated such funds as may be necessary to match funds that may be donated for such purposes: *Provided*, That the amount which may be appropriated annually for purposes of this Act shall be limited to \$500,000.

